

Sullivan County NH

Type of Meeting: Board of Commissioners Public Meeting Minutes

Date / Time: May 3, 2005, 1:30 PM

Place: Newport – County Complex, 14 Main Street, Commissioners Conference Room.

ATTENDEES: Commissioner Donald S. Clarke-*Chair*, Ethel Jarvis-*Clerk and* Commissioner Nelson-Vice Chair (*who arrived later*), Ed Gil de Rubio-*County Manager*, Marc Hathaway-*County Attorney*, David Park-*Assistant County Attorney*, Sharon Johnson-*Callum (minute taker)*. Other County Officials or Employees that attended throughout meeting: Sheriff Michael Prozzo and Scott Hagar-*DOC Superintendent*.

PUBLIC ATTENDEES: State-County Delegate Larry Converse

1:30 The meeting was brought to order by the Chair, Commissioner Clarke. Commissioner Jarvis lead all in the *Pledge of Allegiance*.

AGENDA ITEM NO. 1 APRIL 4, 2005 MEETING MINUTES

It was recommended by the County Manager to keep the April 4, 2005 Executive Session meeting minutes sealed until the issue was resolved. He indicated today's requested executive session pertained to the same issue.

1:32 A motion was made by Commissioner Jarvis to leave the April 4, 2005 Executive Session meeting minutes sealed. Commissioner Clark seconded the motion. There was no further discussion. A voice vote was taken and the motion carried unanimously, with both Commissioners in favor. Commissioner Nelson was absent for vote.

1:33 A motion was made by Commissioner Jarvis to accept the April 19th public meeting minutes. Commissioner Clarke seconded the motion. There was no discussion. The motion carried unanimously. Commissioner Nelson was absent for the vote.

AGENDA 2 COUNTY ATTORNEY'S OFFICE

County Attorney, Marc Hathaway, introduced the new Assistant County Attorney, David Park. Mr. Hathaway briefed them on Mr. Park's work history, both in private and public sector, most recently in Cheshire County. Mr. Park spoke briefly.

1:36 Commissioner Ben Nelson arrived.

County Manager noted he had requested the County Attorney and Sheriff Prozzo to attend the meeting, during the DOC Superintendent's Report, in order to provide any assistant in explanation, if necessary.

AGENDA ITEM NO. 3 DOC REPORT

DOC Superintendent Scott Hagar briefed group on an incident, which occurred at the Sullivan County DOC facility on April 28th, between 1700 hours and 2100 hours in maximum security. During that time newly admitted inmates were seen to be acting disorderly. A riot broke out, with inmates breaking an old style porcelain sink and toilet, and setting blankets and linens on fire. Hagar, at home and off duty, was contacted by phone for advice. During that conversation, details provided were conservative. The fire was extinguished. Unity Fire Department responded to the DOC call and investigated remaining smoke filled area. After receiving a second call, Hagar went to the facility, observed incident, and proceeded to do an entire facility lock down. The following were called in or contacted: off duty DOC Correctional Officers, the County Manager, High Sheriff, County Attorney. Hagar requested Golden Cross Ambulance to stand by, as well as the Sheriff and a few State Troopers responded. The Western New Hampshire Special Operations Unit (WNSOU) responded and entered the facility, extracting the inmates. Those who resisted were isolated; others were escorted to the cafeteria, videotapes of incident were taken into custody. One Correctional Officer received a cut lip. Cheshire County assisted with secondary housing. On April 29th, they emptied the maximum-security cells in order for the County Attorney to collect data. They cleaned up the housing unit. Five of seven cells went back on line. All officers were debriefed. Where they are now: working with law enforcement to provide paperwork and with County Attorney. Hagar thanked the Sheriff's Office and County Attorney, and noted they had a terrific response from all law enforcement in the county, adding, all were very courteous. Hagar indicated he is performing employee reviews regarding shifts and decisions made during incident. He noted that during a crisis situation, the best comes out. He indicated the staff put in 16-20 hours, captain and superintendent placed 36 hours. The commitment level shown was high. Hagar indicated he'd be corresponding with the County Manager regarding future enhancements in equipment, training and changes. The fact that the DOC did not have alternative housing options was why they did not go into the units between 17-21 hours and instead contained it within the unit - so as to avoid Correctional Officer injury. Hagar commended the good response from maintenance at getting the plumbing up and running. Unity Chief Baker on scene when Hagar arrived and briefed Hagar well. No complaints voiced. He briefed them on who assisted: Claremont FD; Claremont, Newport and Sunapee PD's; Lt. Masland of the NH State Troop C, along with two other NH State Troopers; Golden Cross Ambulance.

Sheriff's comments:

- His team arrived at 2300 hours. It took 20-30 minutes to stage his team.
- He was impressed by DOC staff.
- This was only the second riot incident he attended at Sullivan County.
- DOC was well organized.
- Communications were fine.
- Good command decisions made as a team.
- The WNSOU members were impressed. Sheriff indicated the WNSOU went through the facility a few months previously and will revisit twice a year, to include sharing information on how to enhance security - if necessary.
- Funds are needed for tapes and CD's.

County Attorney comments:

- Impressed by the DOC staff, also. Superintendent Hagar made very good calls and, though the incident was contained, he made sure to have the necessary back up.
- Correctional Officers and WNSOU exhibited self-discipline and control.
- Weakness: hardware/software.
- He'd like serious consideration of the equipment list when Superintendent Hagar and Sheriff Prozzo submit them. He noted that the WNSOU had equipment for ballistics but not for punctures that could come from knives or, for example, the shards from the broken toilet. Equipment out there should be in place. Camera necessary.

Q. Commissioner Clarke asked if they had any advise on how to prevent this type of incident in future.

A. Sheriff's comments for improvement: WNSOU would be contacted 15 minutes earlier; DOC should have more suitable body bunker equipment and camera. Not a lot of cost, more in training.

Q. Commissioner Nelson asked for damage level.

A. Hagar indicated:

- Replacement of sinks and toilets - \$1,000 per sink and toilet, brining total to approximately \$5,000.
- A cost itemization will be done to reflect equipment and man-hours, by the end of week. He could include outside help hours also.

Thank you letters will be sent by the DOC Superintendent, as well as the Commissioners / County Manager, to all who assisted.

2:11 Marc Hathaway left meeting.

County Manager discussed the DOC budget. Hagar talked about the facility's inability, as a linier design, to separate and classify inmates, which provide prevention of such incidents. He noted that the linier set up provides no direct supervision, as a "pod" set up would.

2:14 The Sheriff left the meeting.

The DOC census was handed out. (Copy on file)

AGENDA ITEM NO. 6 COUNTY MANAGERS REPORT

AGENDA 6.A. TRANSFER OF FUNDS TO HEALTH TRUST FUND

The County Manger briefed the Board on the May 3rd letter he wrote to them pertaining to the increasing use of Health Trust Funds and medical inflation which requires a transfer of funds to that account. The funds would come from the following lines: \$80,000 DOC Salaries, \$20,000 Health Insurance, \$50,000 Human Services encumbered funds from FY 04 Budget. He reminded the Commissioners the Health Trust Fund is budgeted by line items in each department and that it is a self-insured fund. Janice Bryk in Payroll receives a monthly invoice from the

administrator. The Board requested County Manager to confirm with the County Attorney that the transfer did not require approval from the Delegation. County Manager confirmed he would run this by the accountants or County Attorney and do a follow memo.

2:22 A motion made by Commissioner Nelson to move the funds [\$150,000 as noted in letter] on those conditions. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken and the motion carried unanimously.

AGENDA ITEM NO. 4.B. NHAC STRATEGIC PLANNING CONFERENCE UPDATE

County Manager discussed the April 28th / 29th NH Strategic Planning event he and Commissioner Clarke attended. He discussed the recommendations the group created to change the course / direction of the NHAC. They would like the NHAC to be more open in governance and how affiliate committees work and try to bring appointed / elected officials into focus. Commissioner Clarke commended Mr. Gil de Rubio for chairing the Strategic Planning event and how he kept them all focused. He noted how well Deborah Campbell and Kathi Fortin, NHAC, worked together. It was noted the event was time consuming, hard work, but that a lot was accomplished.

SIDE NOTE – NOT ON AGENDA

County Manager briefed all on the Executive Finance Committee meetings held and the upcoming Third Quarter Delegation meeting planned for May 6th.

AGENDA ITEM NO. C NURSING HOME FALLS UPDATE

Per request from a previous meeting, data was distributed reflecting falls from January 2005 – April 2005. Data showed falls were below the normal trend, when compared to August 2004. Falls include slips or sliding out of chair, also. The County Manager recommended they review the data and if they had further questions, to discuss the issue further at the next Board meeting. He also noted Q & A reports were disbursed Commissioner's desks.

AGENDA ITEM NO. 4.D. FY 06 GOVERNORS COMMISSIONER GRANT

2:35 Minute taker left room and reentered with Ms. Violette in order for Ms. Violette to notarize papers.

The County Manager discussed the Governor's funding application which covered Prevention Programs: Strengthening Families, Parent Circles and Parents As Teachers, as well as Treatment Programs: Student Counselor / LADAC and Sullivan County Court Intervention Program. He briefed them on Incentive Funds Berman was applying for to assist funding her program, plus his request for the Newport and Claremont schools to assist in the funding of LADAC position. He briefly discussed Medicaid reimbursement for some of the counseled youths.

2:40 Ms. Violette left room.

2:42 A motion was made by Commissioner Nelson to approve Mr. Gil de Rubio signing

the Governor's Commission Agreement for \$115,000. Commissioner Jarvis seconded the motion. There was no further discussion. A voice vote was taken and the vote carried with all in favor.

2:42 *Minute taker again left room to request Ms. Violette to return to provide notarization of documents. Minute taker and Ms. Violette entered room. Ed Gil de Rubio signed and dated the agreement. Commissioner Jarvis signed the Certificate of Vote document. Dodi Violette signed, dated and notarized both documents. (Copy on file)*

2:45 *Ms. Violette left meeting.*

County Manager indicated he met with Ray Thivierge regarding future planning. He'd like to invite the State-County Delegates to participate at the May 17th Board meeting in Unity.

The Nursing Home census handed out (Copy on file).

AGENDA ITEM NO. 4.E. DR. CARL M STEARNS – DRAFT OF PLAQUE

Draft of words to place on a plaque distributed. Minute taker showed book written by Dr. Stearns "The Early History of Medicine in Sullivan County, N.H.". Commissioners will review draft and decide at the next meeting.

AGENDA ITEM NO. 5 COMMISSIONERS REPORT

Commissioner Clarke - discussed data he'd like collected prior to the State Executive Committee meeting on Friday. Some of the data pertained to Human Services cost which County Manager indicated he'd collect from Sherrie Curtis. Clarke recommended a meeting with Gale and Senator Odell to advise the direction the Board would like to see taken.

COUNTY LAND MANAGEMENT COMMITTEE UPDATE

Commissioner Jarvis and Greg Chanis are working on the committee list. Jarvis will be setting a date for their first committee meeting within the next two weeks.

UNITY BUILDING STUDY UPDATE

County Manager will have Chanis provide update regarding the Clough Harbor Associates inspection at the Board's next meeting.

UNITY PLANNING BOARD MEETING

It was noted the Town of Unity Planning Board sent a letter, dated April 20, 2005, regarding an upcoming Planning Board Meeting for abutters on the proposed subdivision of property by Bruce Nadeau. Re: Sullivan County is an abutter to the proposed subdivision of this parcel of land. General discussion commenced regarding the history of the proposed development and who would be attending the meeting.

LETTER OF SUPPORT REQUEST

Minute taker passed out copies of a letter of support template supplied by Patrick Pinkson-Burke

for the EPA grant RCAP, ANEI and Sullivan County Solid Waste Committee, as a collaborative, were seeking. Commissioner requested copy of the proposal, which is mentioned in the draft letter. Minute taker will contact Mr. Pinkson-Burke for this item.

INCENTIVE FUNDS MEETING

Minute taker indicated Sherrie Curtis, Human Services Coordinator, requested a count of Commissioners who would be attending the June 22nd Incentive Funds Application Review meeting, to be held at the Ahern Building in Unity. Commissioner Clarke will attend. Commissioner Nelson unsure. No answer was received from Commissioner Jarvis.

UPCOMING EVENT

County Manager reminded all that the County would be hosting a NH Retirement: *Planning for your Retirement* workshop May 11th, in Unity at the Ahern Building. This is open to those in the community who participate in NH Retirement.

AGENDA ITEM NO. 6 PUBLIC PARTICIPATION

Representative Converse, County Manager and Commissioners discussed Nursing Home census. It was requested that twelve months of Nursing Home census be provided to Representative Converse. Minute taker will take care of the request.

AGENDA ITEM NO. 4F. COUNTY MANAGER'S REPORT

PROBABLE EXECUTIVE SESSION PER RSA 91-A:3.II.C – PENDING CONTRACT

- 3:30 A motion was made by Commissioner Nelson to go in to Executive Session per RSA 91-A:3.II.c. to discuss a pending contract issue. Commissioner Clarke seconded the motion. There was no further discussion. A roll call vote was taken and passed with all in favor.
- 3:56 A motion made by Commissioner Jarvis to come out of Probable Executive Session. Commissioner Nelson seconded the motion. There was no further discussion. A voice vote was taken and carried with all in favor.
- 3:57 A motion was made by Commissioner Jarvis to adjourn the meeting. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken and carried with all in favor.

Respectfully submitted,



Ethel Jarvis, Clerk
Board of Commissioners